

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND COMMERCE**

**Call to Order:** By **CHAIRMAN DICK HAINES**, on January 11, 2001 at 8:00 A.M., in Room 317-C Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Dick Haines, Chairman (R)  
Sen. William Crismore, Vice Chairman (R)  
Rep. Christine Kaufmann (D)  
Sen. Linda Nelson (D)  
Sen. Bill Tash (R)  
Rep. Joe Tropila (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Gary Hamel, Legislative Branch  
Amber Sauer, Committee Secretary  
Doug Schmitz, OBPP

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 2/ DNRC, 1/14/2001; DNRC:  
DP 4, DP 9, DP 14, DP 21, DP  
25, DP 27, DP 29, DP 31, DP  
33, DP 34, DP 35, and DP 61,  
1/11/2001

Executive Action:

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION**  
**FORESTRY**

***{Tape : 1; Side : A; Approx. Time Counter : 0 - 230}***

**BUD CLINCH, DIRECTOR OF DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION** began the meeting with an introduction and a brief explanation of the department. He stated that in 1995 a reorganization took place and the Department of Health and Environmental Sciences and Department of Environmental Quality created the new Department of Natural Resources and Conservation DEQ is the regulatory agency and DNRC is the management agency. There are five major divisions of the DNRC: 1) Water Rights Division, 2) Trust Land Management Division 3) Forestry Division, 4) Centralized Services Division and 5) Conservation Resource and Development Division. DNRC has 140 offices in 28 locations, some of these locations are full time, while others are seasonal. **BUD CLINCH** introduced **DON ARTLEY, ADMINISTRATOR OF THE FORESTRY DIVISION.**

***{Tape : 1; Side : B; Approx. Time Counter : 0 - 440}***

Power Point Presentation on Forestry Division of DNRC  
**EXHIBIT (jnh08a01)**

After the presentation **BUD CLINCH** gave an overview of the nursery program. The nursery does its planting and planning based on previous orders. He stated that it may be up to two years to receive a product from the nursery, depending upon what was ordered. Nursery products are for sale for purposes such as a shelter belt, but can not be used for ornamental purposes. Bud Clinch spoke on the Nursery Divisions involvement in the Sula Forest after the fires. After initial analysis of the Sula Forest it has been determined there is still a substantial seed source. The ongoing plan is to re-evaluate the sight in the following seasons. In the best case scenario it will take four to five years for natural reforestation. **SEN. TASH** asked about vegetative covering for stability. **BUD CLINCH** said that they had made some interim plans. Aerial seeding was done with winter wheat. Winter wheat was used as it is a quick root growing plant and has a short life expectancy which makes it a good plant in this situation.

***{Tape : 2; Side : A; Approx. Time Counter : 86}***

**BUD CLINCH** covered the topic of fire protection. He explained that if landowners feel they can not protect their own land, they can petition DNRC for a protection district. 51% of landowners must agree for the petition to take place. The current rate for this protection is \$28/for the first twenty acres, additional acres are charged at a rate of 17 cents per acre.

**{Tape : 2; Side : A; Approx. Time Counter : 190}**

**BUD CLINCH** said the goal of DNRC is to have 95% of fires put out in under 10 acres. The statewide average for the last 10 years is 97%. The cost saving to putting a fire out in less than 10 acres is very substantial. According to statistics ½ of all fires are human caused. In 2000 40% of all fires in Montana were human caused. There is a law that states if you start a fire and it can be proved that it was caused by negligence, the landowner can be directly billed for the suppression costs incurred. **SEN. CRISMORE** asked how well the collection process works. **BUD CLINCH** said that it is fairly difficult to collect the money. Usually the only money that they collect is what they can get from the landowner's insurance policy.

**BUD CLINCH** spoke on the department's aircraft. He said that money for all aircraft is charged to the person using it. If it is used for a fire the cost is billed to that specific fire. Most of the use of aircraft must be for fires, only 10% of the total flying time can be used for administrative use. All helicopters that the department has are federal excess property. The aircraft are kept in Helena in the winter and that is where all the maintenance is performed. **SEN. TASH** wants to know how 1060 flight hours compares to other seasons. **BUD CLINCH** said that it tops all seasons. To put it in perspective he said in a normal year they have about 140 employees and this fire season they had to hire an additional 17,000 employees.

**{Tape : 2; Side : B; Approx. Time Counter : 220}**

**GARY HAMEL, LFD** handed out a request from DNRC to delete one DP and substitute the funding with another DP.

**EXHIBIT (jnh08a02)**

**GARY HAMEL LFD** introduced DP 4 and there were no issues. **DON ARTLEY** explained that the purpose of DP 4 is to extend the time frame of having pilots on duty. This would allow them to bring pilots on earlier so they would be able to have coverage beginning in May and lasting through October.

**Motion/Vote:** **SEN. CRISMORE** moved that DP 4 BE ADOPTED. **SEN. TASH** seconded the motion. Motion carried 6-0.

**{Tape : 3; Side : B; Approx. Time Counter : 38}**

**Motion/Vote:** **SEN. TASH** moved that DP 9 restricted and one time only BE ADOPTED. **REP TROPILA** seconded the motion. Motion carried 6-0.

Motion/Vote: SEN. CRISMORE moved that DP 14 BE ADOPTED. REP KAUFMANN seconded the motion. Motion carried 6-0.

Motion/Vote: REP. TROPILA moved that DP 21 with LFD language and restricted BE ADOPTED. SEN. TASH seconded the motion. Motion carried 6-0.

Motion/Vote: SEN. CRISMORE moved that DP 25 BE ADOPTED. SEN. TASH seconded the motion. Motion carried 6-0.

Motion/Vote: REP. TROPILA moved that DP 27 ONE TIME ONLY BE ADOPTED. SEN. NELSON seconded the motion. Motion carried 6-0.

Motion/Vote: SEN. NELSON moved that DP 29 BE ADOPTED. REP TROPILA seconded the motion. Motion carried 6-0.

Motion/Vote: SEN. CRISMORE moved that DP 31 BE ADOPTED. SEN. TASH seconded the motion. Motion carried 6-0.

Motion/Vote: SEN. NELSON moved that DP 33 BE ADOPTED. SEN TASH seconded the motion. Motion carried 6-0.

Motion/Vote: SEN. TASH moved that DP 34 BE ADOPTED. SEN. NELSON seconded the motion. Motion carried 6-0.

Motion/Vote: SEN. CRISMORE moved that DP 35 ONE TIME ONLY BE ADOPTED. SEN. TASH seconded the motion. Motion carried 6-0.

Motion/Vote: SEN. NELSON moved that DP 61 BE ADOPTED. SEN. TASH seconded the motion. Motion carried 6-0.

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**ADJOURNMENT**

Adjournment: 12:00 P.M.

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REP. DICK HAINES, Chairman

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AMBER SAUER, Secretary

DH/AS

**EXHIBIT** (jnh08aad)